

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: By **CHAIRMAN TOM ZOOK**, on March 10, 1999 at 8:10 A.M., in Room 312 - 2 Capitol.

ROLL CALL

Members Present:

Rep. Tom Zook, Chairman (R)
Rep. Joe Quilici, Vice Chairman (D)
Rep. Steve Vick, Vice Chairman (R)
Rep. Beverly Barnhart (D)
Rep. Ernest Bergsagel (R)
Rep. Peggy Bergsagel (R)
Rep. Rosalie (Rosie) Buzzas (D)
Rep. John Cobb (R)
Rep. Stan Fisher (R)
Rep. Dick Haines (R)
Rep. Royal Johnson (R)
Rep. Betty Lou Kasten (R)
Rep. Matt McCann (D)
Rep. Red Menahan (D)
Rep. Ray Peck (D)
Rep. Lila Taylor (R)
Rep. Joe Tropila (D)
Rep. John Witt (R)

Members Excused: None.

Members Absent: None.

Staff Present: Joanne Gunderson, Committee Secretary
Taryn Purdy, Legislative Fiscal Division

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed. The minutes were recorded on a Sony BI-85 machine and references are measured in inches rather than minutes.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 100, 3/3/99; HB 653, 3/8/1999
Executive Action: HB 14, HB 135, HB 302, HB 413, HB 483, SB 100

HEARING ON SB 100

Opening Statement by Sponsor:

Sen. John Harp, SD 42, presented SB 100.

{Tape : 1; Side : A; Approx. Time Counter : 8 - 145}

Proponents' Testimony:

Erik Burke, Governor's Office

{Tape : 1; Side : A; Approx. Time Counter : 145 - 239}

Bill Cooper, Deputy Superintendent of Public Instruction

{Tape : 1; Side : A; Approx. Time Counter : 239 - 280}

Wayne Buchanan, Board of Public Education

{Tape : 1; Side : A; Approx. Time Counter : 280 - 338}

Lance Melton, School Boards Association

{Tape : 1; Side : A; Approx. Time Counter : 338 - 367}

Vicky Bostick, Montana PTA

{Tape : 1; Side : A; Approx. Time Counter : 367 - 396}

Loran Frazier, School Administrators

{Tape : 1; Side : A; Approx. Time Counter : 396 - 420}

John McNeil, Montana Rural Education Association **EXHIBIT** (aph54a01)

{Tape : 1; Side : A; Approx. Time Counter : 420 - 465}

Kirk Miller, Board of Public Education, Havre

{Tape : 1; Side : A; Approx. Time Counter : 465 - Side : B;
Approx. Time Counter : 043}

Julie Geddes, Bozeman

{Tape : 1; Side : B; Approx. Time Counter : 43 - 55}

Eric Feaver, MEA/MFT

{Tape : 1; Side : B; Approx. Time Counter : 55 - 118}

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 118 - Tape : 2; Side : A; Approx. Time Counter : 404.}

Closing by Sponsor:

{Tape : 2; Side : A; Approx. Time Counter : 404 - 463; Comments :
Rep. Peck requested a new fiscal note after the sponsor closed.}

EXECUTIVE ACTION ON HB 14

Motion/Vote: REP. JOHNSON moved that HB 14 BE RECONSIDERED.

Motion failed 8-10 by Roll Call Vote.

{Tape : 2; Side : B; Approx. Time Counter : 0 - 101}

Discussion:

EXHIBIT(aph54a02)

{Tape : 2; Side : B; Approx. Time Counter : 101 - Tape : 3: Side
: A; Approx. Time Counter : 260; Comments : Chairman Zook ruled
to set aside further executive action on HB 14 for the day.}

EXECUTIVE ACTION ON HB 135

Motion: REP. MCCANN moved that HB 135 DO PASS.

Discussion:

{Tape : 3; Side : A; Approx. Time Counter : 270 - 298; Comments :
Rep. McCann withdrew the motion.}

EXECUTIVE ACTION ON HB 302

Motion: REP. TROPILA moved that HB 302 DO PASS.

Discussion:

{Tape : 3; Side : A; Approx. Time Counter : 302 - 404; Comments :
Rep. McCann discussed a conceptual amendment.}

Motion: REP. MCCANN moved that HB 302 BE AMENDED by striking
lines 22 through 28 on page 1.

Discussion:

{Tape : 3; Side : A; Approx. Time Counter : 404 - Side : B;
Approx. Time Counter : 210}

Vote: Motion failed 8-10 by Roll Call Vote.

{Tape : 3; Side : B; Approx. Time Counter : 210 - 216}

Motion: REP. TROPILA moved that HB 302 DO PASS.

Discussion:

{Tape : 3; Side : B; Approx. Time Counter : 216 - 246}

Motion: REP. JOHNSON moved that HB 302 BE AMENDED according to Exhibit 4 from 3/8/99 hearing on the bill.

Discussion:

{Tape : 3; Side : B; Approx. Time Counter : 246 - 264}

Vote: Motion carried 11-7 with P. Bergsagel, E. Bergsagel, Cobb, Kasten, Taylor, and Vick voting no. (Please note, on the tape, Taryn Purdy noted 7 no votes, the secretary was unable to get the name of the seventh person voting no.

{Tape : 3; Side : B; Approx. Time Counter : 264 - 270}

Vote: Do Pass as Amended Motion carried 12-6 with P. Bergsagel, E. Bergsagel, Cobb, Kasten, Taylor, and Vick voting no.

{Tape : 3; Side : B; Approx. Time Counter : 270 - 284; Comments : Neither in the notes nor on the tape is there a record of a motion made to Do Pass as Amended. Later at 318 on the tape, the vote was re-recorded since the secretary was unable to get all the names of those voting no before the next item of business occurred.}

EXECUTIVE ACTION ON HB 413

Motion: REP. VICK moved that HB 413 BE TABLED.

Discussion:

{Tape : 3; Side : B; Approx. Time Counter : 284 - 309}

Vote: Motion carried 14-4 with Barnhart, Menahan, Quilici, and Tropila voting no.

{Tape : 3; Side : B; Approx. Time Counter : 309 - 331}

EXECUTIVE ACTION ON HB 483

Motion: REP. MENAHAN moved that HB 483 DO PASS.

Discussion:

{Tape : 3; Side : B; Approx. Time Counter : 331 - Tape : 4; Side : A; Approx. Time Counter : 049; Comments : The Chairman announced he would abstain from the vote due to conflict of interest.}

Vote: Motion failed 7-10 by Roll Call Vote.

{Tape : 4; Side : A; Approx. Time Counter : 49 - 69}

Motion/Vote: REP. VICK moved that HB 483 BE TABLED. Motion carried 10-7 with Barnhart, Buzzas, McCann, Menahan, Peck, Quilici, and Tropila voting no.
{Tape : 4; Side : A; Approx. Time Counter : 69 - 79; Comments :
The committee recessed until 3:30PM}

HEARING ON HB 653

Opening Statement by Sponsor:

Rep. Ernest Bergsagel, HD 95, presented HB 653.
{Tape : 4; Side : A; Approx. Time Counter : 79 - 150}

Proponents' Testimony:

Rep. Betty Lou Kasten, HD 99
{Tape : 4; Side : A; Approx. Time Counter : 150 - 186}

Opponents' Testimony:

Eric Feaver, MEA/MFT **EXHIBIT**(aph54a03)
{Tape : 4; Side : A; Approx. Time Counter : 186 - 374}

Craig Sweet, Montana Public Interest Group
{Tape : 4; Side : A; Approx. Time Counter : 374 - 434}

Mary Bryson, Director, Department of Revenue and on behalf of Governor
{Tape : 4; Side : A; Approx. Time Counter : 434 - Side : B;
Approx. Time Counter : 014}

Gordon Morris, Director, Montana Association of Counties
{Tape : 4; Side : B; Approx. Time Counter : 14 - 76}

Steve Browning, Montana Hospital Association
{Tape : 4; Side : B; Approx. Time Counter : 76 - 98}

Nancy Butler, State Fund
{Tape : 4; Side : B; Approx. Time Counter : 98 - 118}

Informational Testimony: None.

Questions from Committee Members and Responses:

{Tape : 4; Side : B; Approx. Time Counter : 118 - Tape : 5; Side : A; Approx. Time Counter : 053}

Closing by Sponsor:

{Tape : 5; Side : A; Approx. Time Counter : 53 - 123; Comments : Rep. Menahan had closing comments following the sponsor's closing remarks.}

EXECUTIVE ACTION ON SB 100

Motion: REP. BERGSAGEL moved that SB 100 BE CONCURRED IN.

{Tape : 5; Side : A; Approx. Time Counter : 123 - 134; Comments : Speaker John Mercer was present as an ex-officio member of the committee.}

Discussion:

{Tape : 5; Side : A; Approx. Time Counter : 134 ~~EXHIBIT~~ (aph54a04)}

Motion: REP. MERCER moved that SB 100 BE AMENDED~~EXHIBIT~~ (aph54a05)

{Tape : 5; Side : A; Approx. Time Counter : 258 - 266}

Discussion:

{Tape : 5; Side : A; Approx. Time Counter : 266 - 429}

Motion: REP. MERCER moved that the amendment (Exhibit 4) be amended on page 4, item 25, by striking \$34.7 million and inserting \$22.7 million. The Chairman ruled to accept that change without objection.

{Tape : 5; Side : A; Approx. Time Counter : 429 - 466}

Discussion:

{Tape : 5; Side : A; Approx. Time Counter : 466 - Side : B; Approx. Time Counter : 154}

Vote: Motion carried 16-2 by Roll Call Vote.

Motion: REP. KASTEN moved a conceptual amendment taking the bill back to the Governor's original proposal.

{Tape : 5; Side : B; Approx. Time Counter : 154 - 207; Comments : Chairman Zook did not accept the amendment for discussion or vote.}

Discussion:

{Tape : 5; Side : B; Approx. Time Counter : 207 - 322}

Motion/Vote: Chairman Zook said the committee was on the original motion that SB 100 BE CONCURRED IN AS AMENDED. Motion carried 14-4 by Roll Call Vote.

{Tape : 5; Side : B; Approx. Time Counter : 322 - 334; Comments : The written and tape recording do not indicate a Be Concurred In}

as Amended motion. P. Bergsagel made a comment before the roll call was taken.}

ADJOURNMENT

Adjournment: 5:30 P.M.

REP. TOM ZOOK, Chairman

JOANNE GUNDERSON, Secretary

TZ/JG

EXHIBIT (aph54aad)